

REMARKS

Claims 1-70 are all the claims pending in the application.

I. Objection to the Drawings

Examiner has objected to the drawings under 37 CFR 1.83(a). Applicants respectfully traverse this objection in light of the following arguments.

In regards to “an aperture” in claims 1 and 37, Applicants respectfully points out that the term “aperture” relates to a characteristic of the light collection of the lens. Lens aperture is referred to as the diameter through which light is collected and may be the diameter of the lens itself, or a diameter that is reduced by other means, such as an iris. Therefore, the aperture is inherent in e.g., Figures 1, 3A, 3B, 4, etc, as any lens has an inherent aperture, i.e., the diameter through which the lens collects light.

In regards to “the optical filters comprising at least one of a polarization filter, a wavelength filter and a spatial filter” in claim 12, Applicants contend that this limitation is featured in Figure 5, numerals 152 (bandpass filter), 154 (spatial filter) and 156 (rotatable polarizer). This is supported by paragraphs [0077] to [0079] of the specification. Applicants also contend that the bandpass filter is the functional equivalent of a wavelength filter, since [0077] describes the function of the bandpass filter as selecting “the wavelength range that the camera is to receive.” Furthermore, the rotatable polarizer behaves as the functional equivalent to a polarization filter, as it is selecting the direction of polarization of scattered light that is to be received.

In regards to the “telecentric magnifying optics with a first magnification...the lenses are selectable to vary a second magnification of the images formed by the sensor arrays responsively to the first magnification” in claims 18 and 53, Applicants contend that this feature is disclosed

in Fig. 4 numeral 56, as shown by paragraph [0072] of the specification: “Typically, telescopes 56 comprise telecentric Kohler type optics so that every point in an object plane (at the output from speckle reduction module) illuminates all points in a Fourier plane at the output of the telescopes. All of telescopes have the same focal planes, so that object plane and Fourier plane do not move when the magnification of assembly is changed.”

II. Rejection based on 102(a)

Examiner has rejected claims 1, 12, 25, 29-30, 36, 47, 60, and 64-66 under Yatsugake et al (5,903,342). Applicants respectfully traverse this rejection in light of the following arguments and amendments.

In regards to the newly amended claim 1, Applicants have incorporated the limitations of claims 4 and 5 into claim 1, which the examiner has conceded is allowable subject matter, and have also canceled claims 4 and 5 as a result. Since claims 12, 25, and 29-30 are dependent on this claim, these claims are also allowable as well.

In regards to the newly amended claim 36, Applicants have incorporated the limitations of claims 39 and 40 into claim 36, which the examiner has conceded is allowable subject matter, and have also canceled claims 39 and 40 as a result. As such, since claims 47, 60 and 64-66 are dependent on allowable claim 36, these claims are also allowable as well.

III. Rejection based on 103(a)

Examiner has rejected claims 2-3, 18, 37-38, and 53 under Yatsugake et al (5,903,342) in view of Almongy (6,122,046). Applicants traverse this rejection in light of the following arguments.

In regards to the newly amended claims 2 and 37, Applicants contend that the Almongy reference does not teach the single objective limitation as recited in the claims. The objective

cited by the examiner (34 of Fig. 8 of Almongy) is clearly not configured to capture radiation scattered from the surface of the sample within an aperture that includes the angular range of all the image sensors. Notably, in the cited Figure 8 of Almongy detector 36b receives light that is not collected by the objective 34. Therefore, the objective 34 cannot be construed to read on the limitation of conveying to each of the image sensors the captured radiation, as it is just transmitting light to a single detector 38 and not to detectors 36. Since the remaining claim rejections under these references are of claims dependent on allowable claims, those rejections are therefore obviated.

Examiner has rejected claim 9 under Yatsugake (5,903,342) in view of Rushbrooke et al (4,933,961). Applicants traverse this rejection in light of the following arguments and amendments.

Applicant has rewritten claim 9 in independent form to incorporate the limitations of claim 11, which the examiner has conceded to be allowable subject matter. Claim 11 has been canceled as a result.

In regards to the remaining rejections, since those rejections are based on claims that are dependent on allowable claims, those claims are therefore allowable as well.

IV. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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